

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Cesar Avila

Plaintiffs,

Index No.: 07CV01563 (AKH)

- against -

NOMURA HOLDING AMERICA INC. and
NOMURA SECURITIES INTERNATIONAL, INC.

NOTICE OF THE NOMURA
PARTIES' ADOPTION OF
ANSWER TO MASTER
COMPLAINT

et al. (see Defendants' List)

Defendants.

1:21-MC-00102

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PLEASE TAKE NOTICE THAT Defendants NOMURA PARTIES (Nomura Holding America Inc., Nomura Securities International Inc.) as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed herein and applicable to the above captioned matter hereby adopts all of the responses and all of the affirmative defenses contained in the Answer to the Master Complaint dated, filed and served July 31, 2007, *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC102 (AKH). The responses to all of the allegations in the Master Complaint are adopted herein and are applicable to the Check-Off Complaint served and filed herein.

PLEASE TAKE FURTHER NOTICE that Defendant, NOMURA PARTIES, reserves the right to serve and file an amended answer and specifically reserves the right to interpose a cross claim against any and all co-defendants.

PLAEASE TAKE FURTHER NOTICE that Defendant, NOMURA PARTIES, also adopts all affirmative defenses and the jury demand therein.

WHEREFORE, Defendant, NOMURA PARTIES, demands judgment dismissing the above captioned action against it along with the costs and disbursements of this action.

Dated: September 12, 2007
New York, New York

Yours, etc.

STRONGIN ROTHMAN & ABRAMS, LLP

s/ Dror M. Bikel

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